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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,121	02/27/2002	Alin D'Silva	01-1008	5040
32127	7590	01/30/2004	EXAMINER	
VERIZON CORPORATE SERVICES GROUP INC. C/O CHRISTIAN R. ANDERSEN 600 HIDDEN RIDGE DRIVE MAILCODE HQEO3H14 IRVING, TX 75038			ELAHEE, MD S	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 01/30/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/084,121

Applicant(s)

D'SILVA ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-5,7-10 and 12-17 is/are pending in the application.
- 4a) Of the above claim(s) 1,6 and 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-5,7-10 and 12-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. This action is responsive to an amendment filed 11/14/03. Claims 2-5, 7-10 and 12-17 are pending. Claims 1, 6 and 11 have been cancelled.

***Response to Arguments***

2. Applicant's arguments mailed on 11/14/03 have been fully considered but they are not persuasive.

Applicant's arguments with respect to claims 5 and 16 have been considered but are moot in view of the new ground(s) of rejection.

In view of the Applicant's remarks, it is agreed that Liffick does not teach or suggest the added limitation, "requesting authorization from the user to initiate the call, based on a current time and the event time; and initiating the call to the at least one party on behalf of the user, based on an affirmative response to the authorization request from the user" as disclosed in claims 5 and 16. Thus a new ground of rejection of Liffick in view of Wolf et al. is applied below.

Regarding claim 17, The Applicant argues on page 13, lines 3-21 that Liffick fails to teach the limitations, "receiving event information for the service subscriber, via a data network, including a selection of one or more parties and a call time" and "receiving event information for the service subscriber, via a data network, including a selection of one or more parties and a call time". The examiner disagrees with this argument. Because, Liffick does teach receiving call processing criteria (i.e., event information) for the user (i.e., service subscriber), via a data network, including a selection of caller (i.e., one or more parties) and a call time (abstract; fig.8;

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col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8) and based on the call time of the call processing criteria, selecting from the database a telephone number for the user and a telephone for selected party, and initiating the call based on the call time using the selected telephone numbers (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65). Thus the rejection of the claim in view of Liffick remain.

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore the examiner has given the claim language its broadest reasonable interpretation. Since applicants have not argued any dependent claims, they stand or fall with the independent claims.

### *Specification*

3. The disclosure is objected to because of the following informalities: the phrase 'called party 120' used in page 14, paragraph 051 appeared to be 'calling party 120'. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 10 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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Because, the claimed limitations 'a receiver for receiving via the data network event data associated with the caller' and 'notifies the caller that a connection is about to take place, and receives confirmation from the caller to initiate the connection to the one or more parties' are not disclosed in the specification.

*Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 17 is rejected under 35 U.S.C. 102(e) as being anticipated by Liffick (U.S. Patent No. 6,430,289).

Regarding claim 17, Liffick teaches storing in a database information associated with at least one user for initiating calls between the user and a plurality of parties, including at least a set of telephone numbers for the user and for each telephone number an associated period of time when the user is available for a call at that telephone number, and a set of telephone numbers for each of the plurality of parties and for each telephone number an associated period of time when the party is available for a call at that telephone number (fig.6-8; col.9, lines 52-62, col.10, lines 14-50, col.11, lines 29-37, 41-62; 'user' reads on the claim 'service subscriber').

Liffick further teaches receiving call processing criteria for the user, via a data network, including a selection of caller and a call time (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event information', 'user' reads on the claim 'service subscriber' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches that based on the call time of the call processing criteria, selecting from the database a telephone number for the user and a telephone for selected party, and initiating the call based on the call time using the selected telephone numbers (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'call processing criteria' reads on the claim 'event information' and 'user' reads on the claim 'service subscriber').

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-5 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liffick (U.S. Patent No. 6,430,289) and in view of Wolf et al. (U.S. Patent No. 5,327,486).

Regarding claims 4, 14 and 15, Liffick teaches receiving, via a data network, call processing criteria associated with the user, the call processing criteria comprising information for connecting the call to the caller and a time period for connecting the call (abstract; fig.8;

col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches storing the call processing criteria in a database (col.10, lines 14-21, col.11, lines 29-37, 41-62; 'call processing criteria' reads on the claim 'event data').

Liffick further teaches determining that a current time is within the time period for connecting the call (fig.6-8; col.9, lines 52-62, col.10, lines 14-50, col.12, lines 11-20, 32-67, col.13, lines 1-8).

Liffick fails to teach "notifying the user that the call is about to take place". Wolf teaches alerting the user that the call is about to take place (col.4, lines 33-42, col.6, lines 6-16; 'alerting' reads on the claim 'notifying'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liffick to allow notifying the user that the call is about to take place as taught by Wolf. The motivation for the modification is to have doing so in order to provide reminder of call connection between the caller and the called party.

Liffick further teaches receiving allowing list from the user to initiate the call to the caller (i.e., one or more parties) on behalf of the user (fig.8; col.12, lines 11-20, 32-67, col.13, lines 1-8; 'allowing list' reads on the claim 'confirmation').

Liffick further teaches establishing the call between the user and the caller (i.e., one or more parties) via the telephone network based on the call processing criteria (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'call processing criteria' reads on the claim 'event data').

Regarding claims 2 and 12, Liffick teaches updating the database to reflect changes in the call processing criteria (col.10, lines 14-21, col.16, lines 59-67, col.17, lines 1-4; 'call processing criteria' reads on the claim 'event data').

Regarding claims 3 and 13, Liffick teaches determining based on the call processing criteria a telephone number associated with the user and a telephone number associated with the caller (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches connecting the call between the user and the caller via the telephone network based on the telephone numbers (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'caller' reads on the claim 'one or more parties').

Regarding claims 5 and 16, Liffick teaches establishing at least one call processing criteria corresponding to the call, the call processing criteria comprising user information and at least one telephone identifier (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event record').

Liffick further teaches associating the call processing criteria with an event time (col.10, lines 14-21, col.11, lines 29-37, 41-62; 'call processing criteria' reads on the claim 'event record').

Liffick fails to teach "requesting authorization from the user to initiate the call, based on a current time and the event time". Wolf teaches prompts for selecting the option (i.e., requesting authorization) from the user to initiate the call, based on a current time and the event time (col.4, lines 33-42, col.6, lines 6-16). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liffick to allow requesting authorization from the



user to initiate the call, based on a current time and the event time as taught by Wolf. The motivation for the modification is to have doing so in order to receive the permission from the user to make call connection between the caller and the called party.

Liffick fails to teach "initiating the call to the at least one party on behalf of the user, based on an affirmative response to the authorization request from the user". Wolf teaches initiating the call to the at least one party on behalf of the user, based on an affirmative response to the prompt (i.e., authorization request) from the user (col.4, lines 33-42, col.6, lines 6-16). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liffick to allow initiating the call to the at least one party on behalf of the user, based on an affirmative response to the authorization request from the user as taught by Wolf. The motivation for the modification is to have doing so in order to establish the call between the caller and the called party.

### *Conclusion*

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M.E.

MD SHAFIUL ALAM ELAHEE

January 15, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', is written below the printed name and title.